

**To:** Laumann, Sara[Laumann.Sara@epa.gov]  
**Cc:** Russ, Timothy[Russ.Tim@epa.gov]; Daly, Carl[Daly.Carl@epa.gov]; Bohan, Suzanne[bohan.suzanne@epa.gov]; Hinkle, Vanessa[Hinkle.Vanessa@epa.gov]  
**From:** Jackson, Scott  
**Sent:** Wed 9/11/2013 6:04:57 PM  
**Subject:** FW: Revised Conformity Exemption List for the UGRB ozone nonattainment area

Sara,

Just wanted to let you and those cc'd know that I sent the following response back to Charis at BLM. This pertains to the general conformity exemption list that BLM sent over for our review on 8/27. We plan to hold a follow up call with them on Monday, 9/16. The primary intent of the email below is to re-iterate our comments that we emailed them on June 11 since their latest exemption list does not address our initial comments.

Tim will send out an invite for us to meet prior to the call on Monday so that we can all gather our thoughts. We made the decision not to add you to the invite list for the actual call with BLM since they did not invite their counsel. However, we would appreciate any thoughts you have (if you have the time). If you don't have the time, please just consider this an FYI.

Thanks,

Scott

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Scott Jackson, Unit Chief

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**From:** Jackson, Scott  
**Sent:** Wednesday, September 11, 2013 11:55 AM  
**To:** 'Tuers, Charis'; Russ, Timothy; Bohan, Suzanne

**Cc:** Darla Potter; Tina Anderson

**Subject:** RE: Revised Conformity Exemption List for the UGRB ozone nonattainment area

Hi Charis,

Thank you for the opportunity to review of the BLM's latest proposed general conformity Exemption list (file "Conformity Exemption List Based on 40 CFR 93 Section 153 August 2013.pdf"). We look forward to the meeting on 9/16 to discuss things further. In the meantime, we wanted to provide you with our initial thoughts/reactions to the latest list. We based our review with respect to the comments previously sent by Suzanne Bohan on June 11, 2013, on the prior version of the proposed exemption list, and offer the following preliminary comments for consideration by BLM:

1.) We note that additional information was included, with this version of the BLM's exemption list, in the column entitled "Justification, Non-Exempt Components & Comments". For example, under the activity category "Air Monitoring Studies", the comment now appears "Infrequent and short-term single vehicle use". We note that our prior June 11, 2013 comment on this type of category for a proposed exemption was as follows:

"For activities that are proposed to be exempt because they meet the requirements of 40 CFR 93.153(c)(2), we recommend that the BLM demonstrate that the emissions from the proposed exempt activity causes no emissions increase or the emissions increase is historically or typically below the de minimis levels. This information and rationale will help us evaluate the proposed list."

In view of our prior comment, we are unable to discern how the statement "Infrequent and short-term single vehicle use" addresses the applicable emissions thresholds in WAQSR Chapter 8, Section 3(c)(ii)(A) and 40 CFR 93.153(b)(1). A suggestion we can offer would be for the BLM to document and keep on file the annual estimated emissions from this activity, and those that are similar, and include a note in the comment column of the exemption table to the effect that the emissions from such an activity would not exceed those levels as stated in WAQSR Chapter 8, Section 3(c)(ii)(A) and 40 CFR 93.153(b)(1).

2.) With regard to the "Oil & Gas" resource area, we note that one of the exempt activities has been changed to, "Oil & Gas Field Equipment and activities that have a WDEQ air quality permit issued through the NSR or PSD programs". This proposed exemption would be for qualifying stationary sources that meet the requirements of WAQSR Chapter 8, Section 3(c)(iv)(A) and 40 CFR 93.153(d)(1). The previous version of the BLM proposed exemption list had contained

additional descriptions of proposed equipment/activities for exemption such as “Well Completions & Recompletions, Stimulations, Flowback, Oil & Gas Production, Workovers, Blowdowns, Compressor Stations, Flaring, etc.” As the current version’s “Oil & Gas Field Equipment and activities” are not identified, we are unable to evaluate if our prior June 11, 2013 comments were addressed; those comments are provided below for reference:

“BLM is proposing that many well/production activities would be considered exempt pursuant to the 40 CFR 93.153(d)(1) exemption for stationary sources which have a NSR or PSD permit as part of a SIP-approved permitting program. We recommend that the BLM verify that these activities meet the requirements of this exemption. Wyoming DEQ issues Chapter 6 air quality permits for sources that do not qualify as stationary sources for the purposes of the 40 CFR 93.153(d)(1) exemption.

Also, we recommend that the BLM provide a rationale for determining how sources which are temporary in nature are considered stationary sources for the purposes of the exemption at 40 CFR 93.153(d)(1). It would be helpful to have a further description of certain oil and gas activities that appear temporary in nature such as workovers, blowdowns, and flaring. In addition, “Well Completions & Recompletions”, “Stimulations”, “Flowback”, and “Flaring” are temporary and may all occur as a new well is being completed and brought on to production. These would appear to be, at times, combined temporary activities and not a type of separate associated activity; however, we welcome further clarification from the BLM’s perspective. We also recommend including more detailed descriptions of several sources which appear in the “Oil & Gas Production” category to clarify what exactly is being included (i.e., heater/treaters, dehy units, separators, etc.).”

Thanks again for the opportunity to review the latest version of the exemption list and please let me know if you have any questions prior to our meeting on 9/16.

Scott

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**From:** Tuers, Charis [<mailto:ctuers@blm.gov>]

**Sent:** Tuesday, August 27, 2013 4:40 PM

**To:** Jackson, Scott; Russ, Timothy; Bohan, Suzanne

**Cc:** Darla Potter; Tina Anderson; Jeni Cederle-WDEQ-AIR; Brian Hall

**Subject:** Revised Conformity Exemption List for the UGRB ozone nonattainment area

# Referred to BLM

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